

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, JUNE 21, 2022
6:00 P.M**

Call to Order. Mayor Wolfe called the Regular Town Board Meeting to order at 6:03 P.M.

Roll Call. Mayor Chris Wolfe, Trustees David Wirtz and Adam Way were present. Trustees Matt Schweich and Paul Sutton attended by phone. Mayor Pro Tem Katie Gill and Trustee Sean Forey were absent. A quorum was established.

Staff Present. Kara Winters (Town Manager) Gerald Dahl (Town Attorney), Bill Vinelli (Police Chief) and Ariana Neverdahl (Town Clerk)

Amendments to the Agenda. None.

Public to Address the Board. Jamee Chambers, 207 Bear Creek Lane. Chambers addressed the Board and encouraged a Board Member to volunteer for the Promote Morrison Committee. Chambers voiced her support for the Planning Commission acting as the Historic Commission. Chambers referenced the Memory Album for Morrison, Colorado created by Lorene Horton and Mary Helen Crain and stated the Historic Commissions uses this as a guideline. Chambers stated she didn't believe the Historic Commission would be designating any new buildings historic.

Presentations and Hearings.

Flock Safety- Andrew Warren. Andrew Warren, Flock Safety Representative. Warren reviewed his presentation with the Board for Flock Safety. Warren informed the Board Flock Safety is a public safety operating system specializing in vehicle recognition that works with law enforcement to help reduce crime in communities.

Mayor Wolfe asked if the system communicates with Jefferson County. Warren stated yes, a sharing agreement is signed when the system is installed.

Chief Vinelli stated with the amount of traffic that comes through the Town the cameras would be very helpful in reducing crime. Chief Vinelli reviewed the camera prices with the Board.

Town Manager Winters told the Board they could look at adding this to the 2023 budget.

The Consensus of the Board was to postpone the discussion for Flock Safety during the budget process for 2023.

Board of Appeal- Bradley Engineering & Construction Company, 300 Bear Creek Avenue.

The Board convened as the Board of Appeals at 6:34 PM.

Mayor Wolfe swore in all witnesses.

Appealing Party. Jeff Bradley, 300 Bear Creek Avenue. Bradley submitted and reviewed the documentation he presented to the Board. Bradley reviewed section 105.5 of the Building Code and stated the code states a permit becomes expired after 180 days if no authorized work is completed. Bradley provided the Board with documentation that work had been done on the job since the last inspection in February of 2021. Bradley informed the Board the code does not say

you need an inspection within 180 days of the building permit being issued. Bradley informed the Board that in the summer of 2021 he called Safebuilt for a screw inspection but was directed by Safebuilt that no inspection was required and to continue working. Bradley told the Board that he received an email from Town Staff saying the original permit 18MORR-00006 has expired and a new permit 21MORR-00028 was issued and he was required to complete the Old Town Historic Overlay Application. Bradley informed the Board that he submitted all plans to the Town and his application for that permit was denied.

Board Questions.

Trustee Wirtz asked if any work had been done from 2019 to 2020. Bradley informed the Board that work was completed since the last inspection in February of 2021.

Mayor Wolfe asked if Bradley knew the dates he called in for the screw inspection. Bradley told the Board he called for the inspection in the summer of 2021.

Town Staff Report. Town Planner McCool reviewed the timeline of the building permit 18MORR-00006. Town Planner McCool stated the building permit was issued in 2018; the last inspection was in February of 2021. Town Planner McCool informed the Board that no authorized work had been completed in 180 days and that the call Bradley made to Safebuilt for screw inspection did not constitute an inspection. Town Planner McCool informed the Board that under the IBC Code permits become expired after 180 days of unauthorized work. Town Planner McCool told the Board the reason behind permits expiring is codes may change or be updated from the original issue date. Town Planner McCool said since the original permit was issued in 2018 the Town has adopted a new building code and the Old Town Historic Overlay regulations. Town Planner McCool told the Board Bradley was made aware of the 2018 permit becoming expired in October of 2021. Bradley was then provided a new permit in October of 2021. Town Planner McCool mentioned to the Board that the application for that permit was not denied, Town Staff issued comments on the application. Town Planner McCool stated once Bradley received staff comments on the Old Town Overlay application, he requested to have the permit from 2018 reissued.

Board Questions.

Mayor Wolfe asked what authorized work meant and referenced the documentation Bradley presented stating work had been completed. Town Planner McCool informed the Board that authorized work is what is included in the building permit. Town Planner McCool informed the Board that Bradley had never shared this documentation with Town Staff prior to this hearing.

Town Manager Winters informed the Board Safebuilt told Town Staff that authorized work means an inspection needs to be completed every 180 days.

Trustee Way mentioned to the Board that building permits are supposed to be completed in a timely manner and not continue for four years.

Town Manager Winters mentioned to the Board that extensions on the 2018 permit have been provided to Bradley.

Trustee Schweich asked if the 2018 permit was issued before the Town adopted the Old Town Historic Overlay. Town Planner McCool informed the Board the Old Town Historic Overlay and the current building code were adopted after the 2018 permit was issued.

Trustee Schweich mentioned the documentation Bradley presented to the Board showing work was done on the project. Trustee Schweich also stated the code does not say authorized work means an inspection within 180 days. Town Planner McCool told the Board that an inspection is how the Building Official knows authorized work is being completed.

Trustee Wirtz mentioned that he did not see the interpretation saying an inspection had to be made in 180 days of the permit being issued. Trustee Wirtz asked if Town Staff provides applicants with a courtesy call letting them know their permit is about to expire. Town Planner McCool explained to the Board that the applicants can submit a formal written request to file for an extension.

Trustee Sutton mentioned to the Board that building permits are not meant to last forever and the work should be completed within a six month time frame. Trustee Sutton stated he would not be comfortable reissuing the building permit because it would not follow the Old Town Historic Overlay requirements.

Trustee Sutton asked if an inspection has to take place every six months. Town Planner McCool informed the Board an inspection is required within 180 days of a building permit being issued.

Trustee Schweich asked where it is stated in the code that an inspection has to be called in within 180 days of being issued. Town Planner McCool informed the Board the building official stated an inspection needs to be done within 180 days of the permit being issued.

Bradley Closing Argument. Bradley stated the letter he sent to Town Staff on December 17, 2021 informed them that work was being done on the project. Bradley read the code to the Town Board and stated that it does not say an inspection needs to be called in within 180 days. Bradley informed the Board that he has provided the Town with all the paperwork necessary for the Old Town Historic Overlay for the new building permit requested in 2021. Bradley explained to the Board that he called in for an inspection in the summer of 2021 and was told by Safebuilt that no inspection was needed, and to continue working. Bradley stated that work never stopped on the project.

Town Staff Closing Argument. Town Planner McCool informed the Board the documentation provided by Bradley tonight has not previously been shared with Town Staff. Town Planner McCool stated concern over an inspection not being called in with the amount of mechanical and concrete work that Bradley stated has been done. Town Planner McCool stated the call Bradley made for an inspection does not count as an inspection being completed. Town Planner McCool informed the Board that the Old Town Historic Overlay is important and has specific requirements for all buildings to help keep the Morrison feel. Town Planner McCool stated Bradley only requested to reissue the 2018 building permit after receiving comments on his Old Town Historic Overlay application for the 2021 permit.

The Public Hearing was closed at 7:53 PM.

Trustee Sutton said that the lack of inspection within 180 days should be subject to everyone. Trustee Sutton referenced the City of Littleton's requirements for inspections, every 180 days.

Trustee Wirtz said it does not say inspection in the code only authorized work.

Town Attorney Dahl addressed the Board and mentioned that two of the Board members have not

seen the documentation submitted by Bradley. Town Attorney Dahl suggested continuing the hearing so all members can review the documentation provided by Bradley.

Town Attorney Dahl explained to the Board if the permit from 2018 is upheld it will not be required to follow the Old Town Historic Overlay.

The consensus of the Board was to continue the hearing and receive clarification about what is written in the code. Defining authorized work within 180 days.

Town Attorney Dahl suggested continuing the hearing and giving action to both parties to present in writing their view of the code.

A motion was made by Trustee Sutton to continue the Appeal Hearing on 300 Bear Creek Avenue building permit for action only on July 5, 2022 and to request the appealing party and Town Staff to submit written statements on building code requirements. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Mayor Wolfe adjourned the hearing at 8:07 PM.

Colorado Bird Club Re Zoning- 401 Mount Vernon Street.

A motion was made by Trustee Wirtz to continue the Public Hearing on the Colorado Bird Club Rezoning until the Regular Town Board Meeting on August 16, 2022. The motion was seconded by Trustee Schweich. All voted aye. The motion carried.

Zoning Tract A Industrial A portion of Parcel A described in Exhibit B of that boundary agreement recorded at reception NO. 2021152090, located in the Northwest quarter of the Northwest quarter of Section 2, Township 5 South, Range 70 West of the Sixth Principal Meridian, Jefferson County, Colorado.

A motion was made by Trustee Way to continue the public hearing for the application of zoning for Tract A Industrial A portion of Parcel A described in Exhibit B of that boundary agreement recorded at reception NO. 2021152090, located in the Northwest quarter of the Northwest quarter of Section 2, Township 5 South, Range 70 West of the Sixth Principal Meridian, Jefferson County, Colorado, to 6:00 pm on August 19, 2022. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Consideration of Annexation Ordinance annexing real property which is proposed to become Town-owned land, located adjacent to the existing town water treatment plant, known as Tract A Industrial A portion of Parcel A described in Exhibit B of that boundary agreement recorded at reception NO. 2021152090, located in the Northwest quarter of the Northwest quarter of Section 2, Township 5 South, Range 70 West of the Sixth Principal Meridian, Jefferson County, Colorado.

A motion was made Trustee Way to continue the public hearing for consideration of Annexation Ordinance annexing real property which is proposed to become Town-owned land, located adjacent to the existing Town water treatment plant, known as Tract A Industrial A portion of Parcel A described in Exhibit B of that boundary agreement recorded at reception NO. 2021152090, located in the Northwest quarter of the Northwest quarter of Section 2, Township 5 South, Range 70 West

of the Sixth Principal Meridian, Jefferson County, Colorado to 6:00 pm on August 19, 2022. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

General Business.

Morrison Holiday Bar Revocable License Agreement. Town Manager Winters reviewed the Revocable License Agreement with the Town Board.

A motion was made by Trustee Schweich to approve the Revocable License Agreement between the Town of Morrison and DYK, Inc. dba Morrison Holiday Bar. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

2022 Intergovernmental Agreement with Lakewood Regarding the Rooney Valley. Town Attorney Dahl reviewed the Intergovernmental Agreement with the Town Board.

A motion was made by Trustee Wirtz to approve the 2022 Intergovernmental Agreement between the Town of Morrison Colorado and the City of Lakewood Colorado regarding the Rooney Valley, and authorize and direct the Mayor and Town Clerk to execute the same. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

Ordinance NO. 513. Town Attorney Dahl reviewed Ordinance NO. 513 with the Town Board.

Town Manager Winters informed the Board, if the Board wants to change the sales tax rate in the future a code amendment would be required.

A motion was made by Trustee Way to adopt ordinance NO. 513 AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 3 OF THE MORRISON MUNICIPL CODE, TO IMPLEMENT A SALES TAX UPON THE SALE OR RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Municipal Ordinance Update. Chief Vinelli addressed the Board and reviewed the ordinances he would like to add to the Town Code. Chief Vinelli stated he spoke with Judge Thrower and Prosecutor Ausmus and they are in support of the listed ordinances changes.

Mayor Wolfe asked if the ordinances would require a court appearance or if the citation could be paid online. Chief Vinelli informed the Board that the offenses would require a court appearance.

Mayor Wolfe asked why the Town didn't already have these ordinances in place. Town Manager Winters informed the Board the case load was too high for the Town in the past.

Trustee Sutton voiced concern over the ordinances requiring a jury and if the Town could gather a jury of 12 people. Chief Vinelli informed the Board that the Jury would not be 12 people and would be made up of three to five people.

A motion was made by Trustee Way to direct Town Attorney Dahl to draft appropriate 2022 Municipal Ordinances suggested by the Chief Vineeli. The motion was seconded by Trustee Schweich. All members present voted aye. The motion carried.

E-Bicycles for Police Department. Chief Vinelli mentioned to the Board he would like to purchase E-

Bicycles for the Police Department.

Trustees Way and Sutton voiced their support for the e-bicycles.

Town Manager Winters mentioned to the Board that the Town could look at adding the purchase of the E-bicycles to next year's budget.

The consensus of the Board was to look at purchasing the E-bicycles at a later date.

Appoint Board Member to Promote Morrison.

A motion was made by Trustee Wirtz to appoint Trustee Sutton to the Promote Morrison Committee. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

Town Website Agreement with Civic Plus. Town Manager Winters informed the Board the last time the Town Website was updated ten years ago. Town Manager Winters reviewed the agreement with CivicPlus with the Town Board.

A motion was made by Trustee Schweich to approve the website update totaling a one-time fee of \$9,290.71, recurring fee of \$1,453.20 and appointing a website committee consisting of Board Member Trustee Wirtz, Matt Mossbrucker, Lindsay Kuhns, Ariana Neverdahl and Kara Winters. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

Parking Rate Increase. Town Manager Winters informed the Board the Town was asked by Interstate Parking if we wanted to increase the Town's parking rates.

Trustee Sutton asked if the Town is receiving any of the revenue for citations. Town Manager Winters informed the Board that she and Town Attorney Dahl are working on getting the citation revenue for the Town.

Trustee Way voiced support for not raising the parking rates.

A motion was made by Trustee Wirtz to not increase the parking rates at this time. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

Departmental Reports.

Accounting. Mayor Wolfe asked about the sales tax revenue and asked if the numbers can reflect a more accurate amount for the Town. Town Manager Winters explained to the Board that she emails the state every month notifying them that they are collecting sales tax from vendors that are outside the Town's jurisdiction. Town Manager Winters informed the Board that the state can reconcile the sales tax up to three years.

Trustee Sutton asked what the Town is doing with the sales tax revenue it is collecting from outside vendors. Town Manager Winters informed the Board that the Town is reserving funds.

Town Attorney Dahl informed the Board that this is an issue only the state can resolve and the Town is doing all they can do to notify them.

Court. Trustee Wirtz asked if the report is missing information as some of the months were left blank. Town Manager Winters informed the Board Town Staff will complete the report with a zero if no

revenue was collected for the month.

Museum. No oral report.

Police Department. Chief Vinelli spoke to the Town Board and told them about the positive feedback he has received from the Town about the Police Department.

Mayor Wolfe voiced concern over pedestrian safety at the crosswalk along Highway 8 at Red Rocks Vista Drive.

Town Manager. Town Manager Winters provided the Board with an update on the Safer Main Street Grant, and informed the Board the Town has received seven proposals for the design.

Town Manager Winters informed the Board that the Town has asked CDOT for a flashing light at the crosswalk along Highway 8 and Red Rocks Vista Drive, the Town has never received a response.

Town Manager Winters informed the Board the Town Audit will be on the Board Meeting Agenda in July.

Town Manager Winters informed the Board that Denver has signed and approved the Traffic IGA and the Wastewater IGA for Red Rocks Amphitheatre.

Town Attorney. Town Attorney Dahl informed the Board the Bradley Hearing is a quasi-judicial hearing and they cannot talk about the hearing outside of the actual hearing itself.

Consent Agenda.

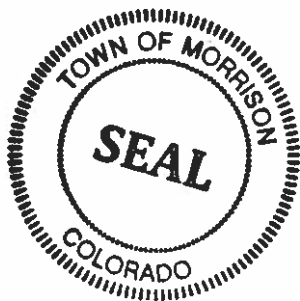
A motion was made by Trustee Way to approve the Consent Agenda for June 21, 2022. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Board Comments.

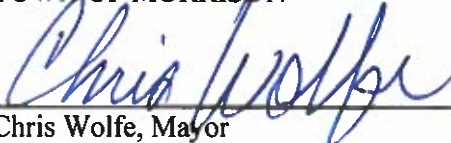
Executive Session.

Trustee Way moved to go into executive session for a conference under Charter Section 3.4 and Section 24-6-402(4)(b) and (f), C.R.S. with the Town Attorney, Town Manager, special counsel to the Town and appropriate staff to receive legal advice and instruct negotiators concerning the Intergovernmental Agreement with Denver for water treatment plant.. The motion was seconded by Trustee Wirtz; motion approved unanimously.

Adjournment. Mayor Wolfe adjourned the regular Town Board Meeting at 9:47 P.M.



TOWN OF MORRISON


Chris Wolfe, Mayor

ATTEST:



Ariana Neverdahl, Town Clerk